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Atty. Dkt. No. 077319-0389



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ralph M. ELLISON et al.

COMPOSITIONS AND METHODS FOR THE  
TREATMENT OF PRIMARY AND METASTATIC  
NEOPLASTIC DISEASES USING ARSENIC  
COMPOUNDS

Appl. No.: 10/649,776

Filing Date: 8/28/2003

Examiner: Unassigned

Art Unit: 1614

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 12 October 2004

By S. A. Bent

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Substitute for form 1449B/PTO <b>O I P E INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: October 12, 2004 (use as many sheets as necessary)				<b>Complete if Known</b>	
Sheet 1 of 1				Application Number	10/649,776
				Filing Date	08/28/2003
				First Named Inventor	Ralph M. ELLISON
				Group Art Unit	1614
				Examiner Name	Unassigned
				Attorney Docket Number	077319-0389

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s); volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	B1	International Search Report	
	B2	Kunio KITAMURA et al., "New Retinoids and arsenic compounds for the treatment of refractory acute promyelocytic leukemia: clinical and basic studies for the next generation", Cancer Chemother Pharmacol, (1977), 40 (Suppl) pp. S36-S41.	
	B3	Zhu CHEN et al., "Acute Promyelocytic Leukemia: Cellular and Molecular Basis of Differentiation and Apoptosis", Pharmacol. Ther., Vol. 76, Nos. 1-3, pp. 141-149, 1997.	
	B4	DATABASE MEDLINE Online! US National Library of Medicine (NLM), Bethesda, MD US; August 25, 1997, Melino G. et al., "Retinoic acid receptors alpha and gamma mediate the induction of "tissue" transglutaminase activity and apoptosis in human neuroblastoma cells", XP002284763, Database accession no. NLM9281352 *ABSTRACT	
	B5	DATABASE MEDLINE Online! US National Library of Medicine (NLM) Bethesda, MD, US; July 1997, Cooper M. P. et al., "All-trans retinoic acid induced gene expression and growth inhibition in head and neck cancer cell lines" XP002284764 Database accession no. NLM9307717 *ABSTRACT & Oral Oncology, July 1997, vol. 33, no. 4, pp. 270-274, ISSN: 1368-8375.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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